

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

HDI Global Insurance Company,  
Plaintiff,  
-against-  
Kuehne & Nagel S.A, et al.,  
Defendants.

23-CV-8791 (JGLC)

**ORDER OF DISMISSAL**

JESSICA G. L. CLARKE, United States District Judge:

Plaintiff HDI Global Insurance Company filed this action on October 6, 2023. ECF No.

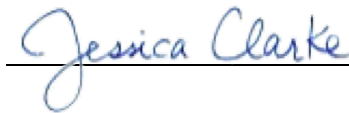
1. On November 25, 2024, Plaintiff filed a notice of voluntary dismissal with respect to Defendant Kuehne & Nagel Inc. ECF No. 29. The stipulation of dismissal was entered by the Court on December 10, 2024. ECF No. 31. In the stipulation, Plaintiff was ordered to inform the court of whether or not it intended to pursue action with respect to the remaining Defendants by no later than December 17, 2024. *Id.* Plaintiff failed to do so. On December 20, 2024, Plaintiff was ordered to submit a letter to the Court in accordance with ECF No. 31 by no later than December 23, 2024. Plaintiff was warned that if the Court did not receive any communication from Plaintiff by December 23, 2024, the Court would dismiss the case. As of today's date, Plaintiff has not responded to the Court's December 20th order, nor has Plaintiff otherwise indicated that it intends to pursue this action.

Rule 41(b) of the Federal Rules of Civil Procedure provides that a district court may dismiss an action if "the plaintiff fails to prosecute or otherwise comply with [the] rules or a court order." Fed. R. Civ. P. 41(b); *see also Baptiste v. Sommers*, 768 F.3d 212, 216 (2d Cir. 2014). Under Rule 41(b), a district court may dismiss an action *sua sponte* for failure to prosecute after notifying the plaintiff. *LeSane v. Hall's Sec. Analyst, Inc.*, 239 F.3d 206, 209 (2d

Cir. 2001). Because the Court has not received any response from Plaintiff, including any indication that he intends to pursue this case against the remaining Defendants, the instant action is dismissed without prejudice pursuant to Federal Rule of Civil Procedure 41(b). The Clerk of Court is respectfully directed to terminate all pending motions and close the case.

Dated: January 6, 2025  
New York, New York

SO ORDERED.

A handwritten signature in blue ink that reads "Jessica Clarke". The signature is written in a cursive style and is positioned above a horizontal line.

JESSICA G. L. CLARKE  
United States District Judge